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**EX**

**MCDERMOTT, WILL & EMERY**

November 18, 2002

Bv Messenger

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**Re: Notice of *Ex Parte* Meeting; Improving Public Safety Communications in the 800 MHz Band; Consolidating the 900 MHz Industrial/Land Transportation and Business Pool Channels; WT Docket No. 02-55**

Dear Ms. Dortch:

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, this is to notify you that Christine Gill and Jeffrey Sheldon of McDermott, Will & Emery, representing Cinergy Corporation, Consumers Energy Company, Entergy Corporation. and SCANA Corporation, met on Friday, November 15, 2002, with D'Wana Terry, Herb Zeiler, Karen Franklin, and Michael Wilhelm, of the Wireless Telecommunications Bureau, to discuss the issues raised by these companies in their respective comments, reply comments and supplemental comments in the above-referenced proceeding.

We discussed the concerns of these utility companies regarding mandatory realignment of the 800 MHz band, and the deficiencies in the so-called "Consensus Plan" should the Commission ultimately decide that rebanding is justified by the cost and disruption that would be involved. In particular, we stressed the need for an orderly transition process that ensures one-for-one channel replacement, comparable service, and protection of incumbent licensees during relocation: full cost-reimbursement for all licensees; no prohibitions on deployment of advanced technologies; and a workable plan for the Canadian/Mexican border regions.

In accordance with the Commission's rules, two copies of this *ex parte* notice are being filed for inclusion in the record of the above-referenced proceeding.

Very truly yours,

Cheshire Hill

Christine M. Gill

No. of entries rec'd 241  
List ABOVE

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Marlene H. Dortch, Esq.  
November 18, 2002  
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cc: D'Wana Terry  
Herb Zeiler  
Karen Franklin  
Michael Wilhelm